

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOYCE HUTTON,
Plaintiff,

v.

CITY OF BERKELEY POLICE
DEPARTMENT, et al.,
Defendants.

Case No. [13-cv-03407-JCS](#)

COURT'S PROPOSED SPECIAL VERDICT FORM

Dated: March 9, 2015


JOSEPH C. SPERO
Chief Magistrate Judge

JURY VERDICT

We, the jury, unanimously find as follows:

I. LIABILITY – UNREASONABLE DETENTION UNDER 42 U.S.C. § 1983

1. Do you find by a preponderance of the evidence that Defendant Officer Lucero violated Plaintiff's Fourth Amendment rights because she initiated the traffic stop without reasonable suspicion or detained Plaintiff after reasonable suspicion had dissipated?

☐ Yes ☐ No

If you answer yes, proceed to the next question. If you answer no, proceed directly to signing the verdict form.

2. Do you find by a preponderance of the evidence that the traffic stop was a substantial factor in causing Plaintiff Hutton harm?

☐ Yes ☐ No

If you answer yes, proceed to Section II (Damages). If you answer no, proceed directly to signing the verdict form.

II. DAMAGES

A. Compensatory Damages

3. What is the total amount of compensatory damages that should be awarded for the harm that Officer Lucero caused to Ms. Hutton?

\$ _____

Proceed to the next question.

B. Punitive Damages

4. Do you find by a preponderance of the evidence that Officer Lucero's conduct was either malicious, oppressive, or committed in reckless disregard of Ms. Hutton's rights?

☐ Yes ☐ No

If yes, proceed to the next question. If no, proceed directly to signing the verdict form.

5. Do you award punitive damages?

☐ Yes ☐ No

If yes, proceed to the next question. If no, proceed directly to signing the verdict form.

6. What is the amount of punitive damages?

☐ Yes ☐ No

Please sign and date the verdict form.

III. SIGN AND DATE THE SPECIAL VERDICT FORM

Signed: _____

Foreperson of the Jury: _____

Dated: _____

After this Verdict Form has been signed and dated, please submit a Jury Note to the Court Security Officer notifying the Court that the Jury has reached a verdict. Please return the Verdict Form to the Courtroom Deputy.